

New Zealand Social Media Checklist



About the New Zealand Social Media Compliance Register

The New Zealand Social Media Obligations Register draws from the key legislation that comes into play when your organisation uses social media, and equips you to develop a comprehensive programme to monitor your obligations. Social media platforms are increasingly being relied upon by users, and organisations are no exception. While workers may use social media for personal and work-related reasons, organisations rely on it for a variety of legitimate reasons such as monitoring employee conduct and as a recruitment process tool, among others.

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LexisNexis Regulatory Compliance helps you forge a clear path to compliance.

With LexisNexis content know-how at the core, our compliance registers, alerts, and information-driven solutions make compliance uncomplicated for GRC professionals across the globe.

About the Expert

Tania Goatley

Partner, Bell Gully



Tania has assisted with cyber security breaches across multiple jurisdictions and has advised on the first mandatory reportable privacy breach under the Privacy Act. Regularly advises clients on privacy and cyber security issues, including advising:

- » a client operating in the telecommunications sector as to how to deal with a breach that involved the public disclosure of phone numbers that were designated as 'unlisted'.
- » the receivers of a New Zealand retailer that went into liquidation on how to deal with, use and protect databases containing customer information across multiple jurisdictions.
- » a multinational media company about its privacy and cyber security practices, including assisting to manage data security incidents and corresponding with official agencies to mitigate any fallout.

She has a strong media law background, advising on defamation claims, appearing in Court on name suppression issues, and providing media law training to journalists. She advises on all aspects of intellectual property law, including copyright, passing off and trademark infringement disputes and litigation.

In addition to her particular areas of expertise, Tania provides general advice on commercial and contractual disputes and litigation with successful outcomes for her clients.

Chambers Asia Pacific 2023 ranks Tania as a leading lawyer for intellectual property and technology, media and telecommunications. The Legal 500 Asia Pacific 2023 recommends Tania for data protection, intellectual property and technology, media and telecommunications.

Tania is recognised as a media and entertainment lawyer of the year and trademark lawyer of the year in the Women in Business Law Awards APAC 2023 shortlists.

Tania is an active member of the International Association for the Protection of Intellectual Property (AIPPI) and the Intellectual Property Society of Australia and New Zealand (IPSANZ).

Expertise

Media and communications, Consumer law, Intellectual property, Litigation and dispute resolution, Privacy and data protection, Information, communications and technology, Cyber security

NEW ZEALAND SOCIAL MEDIA CHECKLIST

Social media compliance requirements.

SOCIAL MEDIA OVERVIEW

Requirement	Needs work	Don't know	Meets Requirement
Does the organisation comply with its obligations in relation to social media?			

CONDUCT OF EMPLOYEES ON SOCIAL MEDIA

Requirement	Needs work	Don't know	Meets Requirement
Does the organisation establish policies, training and procedures in relation to the conduct of employees on social media?			
If an organisation monitors employees' use of social media on the organisation's computer devices, does the organisation do so in accordance with applicable legislative requirements and a workplace computer surveillance policy?			
If an organisation intends to prevent employees from accessing websites, does the organisation do so in accordance with a policy on email and internet access, and does the organisation provide employees with advance notice of the policy?			
Does the organisation comply with the Privacy Principles, where required, in relation to the collection, storage and handling of personal information, including information about a person that may be gathered from social media?			
Does the organisation take all reasonable steps in compliance with applicable legislation to protect workers from bullying and harassment?			
In case of disparaging and offensive comments on social media by an employee, does the organisation take an appropriate disciplinary action against the employee in question and does it treat such employee with procedural fairness?			
Does the organisation ensure that any disciplinary action taken against an employee, by reason of their activities and personal views on social media, is justified?			
Does the organisation ensure that it does not discriminate against an employee by reason of the employee's workplace rights or industrial activities, including where those rights and activities are lawfully conducted or expressed via social media?			
Does the organisation have in place policies and procedures to ensure that employees do not leak confidential or sensitive information on social media, and that any such leaks are handled appropriately?			

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Social media compliance requirements.

SOCIAL MEDIA AS A BUSINESS TOOL

Requirement	Needs work	Don't know	Meets Requirement
Does the organisation establish policies, training and procedures in relation to the use of social media as a business tool?			
Does the organisation ensure that it does not engage in misleading or discriminatory conduct when advertising positions via social media, and that candidates do not suffer discrimination if the organisation chooses to research them via the candidates' social media pages?			
Does the organisation establish training and procedures to ensure that its employees and agents do not engage in misleading or deceptive conduct on social media?			
Does the organisation establish policies and procedures to help ensure that employees do not engage in defamatory conduct on social media during the course of their employment, and that any defamatory material is urgently removed from the organisation's social media pages?			
Does the organisation establish policies and procedures to ensure that the total price is displayed for goods and services, including where the price is displayed via social media?			
Does the organisation ensure that its promotions and competitions conducted via social media are not misleading or deceptive to participants, and that, where required, it obtains and complies with a permit?			
Does the organisation have a system in place for the monitoring of its social media accounts, including a procedure for responding appropriately to activity by customers and other users?			
The organisation must establish training and procedures to ensure that employees deal with third party material on social media in a manner that is consistent with copyright legislation.			

Your Free Compliance Register

If you would like free to access to the New Zealand Social Media register, click or scan the QR Code →

*Terms & Conditions Apply



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With LexisNexis content know-how at the core, our compliance registers, alerts, and information-driven solutions make compliance uncomplicated for GRC professionals across the globe.

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Authored by leading legal, attorney and industry experts, and supported by flexible technology that works the way you do, LexisNexis Regulatory Compliance gives you peace of mind while saving time and money.

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